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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91176661
Party	Defendant Aptuit, Inc.
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Submission	Motion to Amend Application
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Date	06/05/2008
Attachments	APTUIT Motion on Consent to Amend Application.pdf (3 pages)(88917 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

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INTUIT, INC.,
:
Opposer,
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v.
:
APTUIT, INC., Opposition No. 91176661
:
Applicant.
:
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MOTION ON CONSENT TO AMEND APPLICATION

Pursuant to Trademark Rule of Practice 2.133 (37 C.F.R. § 2.133), Aptuit, Inc. ("Applicant"), with the express consent of Intuit, Inc. ("Opposer"), hereby moves to amend the Class 42 services in application Serial Number 78/657,790 to register the mark APTUIT, which was published on October 10, 2006, to the following:

Medical and scientific research, namely, conducting clinical trials; clinical research; pharmaceutical research; research to develop pharmaceutical products; medical research; medical and scientific research consultation pertaining to pharmacology, toxicology, drug metabolism, pharmacokinetics, bioanalysis, and tablet compression; research of medicines and vaccines; development of pharmaceutical preparations, formulations, drug substances, drug products, active pharmaceutical ingredients, and medicines; design and testing of new pharmaceutical products for others.

For the Board's convenience, Applicant's proposed amendments are reflected in "track changes" below:

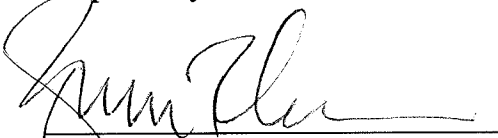
Medical and scientific research, namely, conducting clinical trials; clinical research; pharmaceutical research; product research to develop pharmaceutical products; medical research; medical and scientific research consultation pertaining to pharmacology, toxicology, drug metabolism, pharmacokinetics, bioanalysis, and tablet compression; research of medicines and vaccines; development of pharmaceutical preparations, formulations, drug substances, drug products, active pharmaceutical ingredients, and medicines; design and testing of new pharmaceutical products for others.

The foregoing amendment narrows the scope of the services listed in this application.

Therefore, Applicant submits that the application does not need to be republished.

This amendment is being submitted pursuant to a May 9, 2008 agreement between Applicant and Opposer. Opposer has agreed to withdraw its opposition against this application if this amendment is entered. Opposer's counsel, Linda G. Henry, consented to this motion in an email dated May 30, 2008. A certificate of service to Opposer's counsel is attached to this motion.

Respectfully submitted,



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Dated: June 5, 2008

- and -

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Attorneys for Applicant,
Aptuit, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on this 5th day of June 2008, a true and correct copy of the foregoing Motion on Consent to Amend Application was served on Opposer's counsel by first class mail, postage prepaid, addressed as follows:

Linda G. Henry, Esq.
Fenwick & West LLP
Silicon Valley Center
801 California Street
Mountain View, CA 94041


Emilia F. Cannella